

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-2, 4-12, and 14-22 were pending in the application, of which Claims 1, 9, and 14 are independent. In the Office Action dated July 14, 2006, Claims 1-2, 4-12, and 14-22 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 1-2, 4-12, and 14-19 remain in this application with Claims 20-22 being canceled without prejudice or disclaimer. Applicants hereby address the Examiner's rejections in turn.

I. Interview Summary

Applicants thank Examiner Washburn for the courtesy of a telephone interview on September 12, 2006, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 103. During the interview, Applicants asserted that the cited references at least do not teach or suggest the claims as currently amended. While the Examiner stated that the current claim amendment overcomes the currently cited references, the Examiner stated that further searching would be required. No agreement was made regarding patentability of the claims.

II. Rejection of the Claims Under 35 U.S.C. § 103(a)

In the Office Action dated July 14, 2006, the Examiner rejected Claims 1-2, 4, 7-10, 14-15, and 18-22 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,670,964 ("*Ward*") in view of U.S. Published Patent Application No.

US2003/0154470 ("*Applin*"). Claims 1,9, and 14 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "wherein the version number corresponds to a pixel density support level of the application program" and "determining that the application program is configured for use with the display device having the higher pixel density if the version number is one of the following: greater than a predetermined value and equal to the predetermined value, and determining that the application program is configured for use with the display device having the lower pixel density if the version number is less than the predetermined value." Claims 9 and 14 each includes a similar recitation. Support for these amendments can be found in the specification at least on page 12, lines 1-15.

In contrast, and as stated by the Examiner, *Ward* at least does not teach or suggest "determining whether the application program is configured for use with the display device having the lower pixel density or the display device having a higher pixel density comprises; examining a property of the application program to determine a software development kit version number against which the application program was compiled, and determining whether the application program is configured for use with the display device having the lower pixel density or the display device having a higher pixel density based on the version number." (See Office Action, page 5, lines 3-9.) Because *Ward* does not teach or suggest determining whether the application program is configured for use with the display based on the version number, it does not

discloses: i) determining that the application program is configured for use with the display device having the higher pixel density if the version number is one of the following: greater than a predetermined value and equal to the predetermined value, or ii) determining that the application program is configured for use with the display device having the lower pixel density if the version number is less than the predetermined value. Moreover, *Ward* is completely silent regarding a version number corresponding to an application program's pixel density support level.

Furthermore, *Applin* does not overcome *Ward*'s deficiencies. *Applin* merely discloses that a time stamp may be used to define a macro (e.g. "PIKA_TIMESTAMP"). (See paragraph [0005], lines 1-2.) The time stamp value represents the date and time a given software developer's kit (SDK) is built. (See paragraph [0005], lines 5-7.) The time stamp value in *Applin* is utilized to identify a particular version (e.g. build date) for a given SDK. (See paragraph [0005], lines 5-7.) Moreover, *Applin*'s SDK version identifier may be incorporated within each object created by the SDK. (See paragraph [0005], lines 7-9.) Like *Ward*, *Applin* at least does not teach or suggest a version number corresponding to an application program's pixel density support level. Rather *Applin* merely discloses incorporated, within objects created by an SDK, a time stamp value representing the date and time the SDK was built. Nowhere in *Applin* does it disclose that the time stamp value corresponds to an application program's pixel density support level. Moreover, *Applin* does not teach or suggest: i) determining that the application program is configured for use with the display device having the higher pixel density if the version number is one of the following: greater than a predetermined value and equal to the predetermined value, or ii) determining that the application program is

configured for use with the display device having the lower pixel density if the version number is less than the predetermined value.

Combining *Ward* with *Applin* would not have led to the claimed invention because *Ward* and *Applin*, either individually or in combination, at least do not disclose or suggest “wherein the version number corresponds to a pixel density support level of the application program” and “determining that the application program is configured for use with the display device having the higher pixel density if the version number is one of the following: greater than a predetermined value and equal to the predetermined value, and determining that the application program is configured for use with the display device having the lower pixel density if the version number is less than the predetermined value,” as recited by amended Claim 1. Amended Claims 9 and 14 each includes a similar recitation. Accordingly, independent Claims 1, 9, and 14 each patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1, 9, and 14.

Dependent Claims 2, 4-8, 10, 12, and 15-19 are also allowable at least for the reasons described above regarding independent Claims 1, 9, and 14, and by virtue of their respective dependencies upon independent Claims 1, 9, and 14. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2, 4-8, 10, 12, and 15-19.

III. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

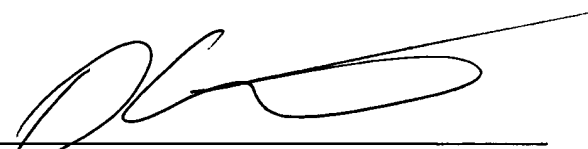
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

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